

Minutes of the Special and Regular Meeting of May 8, 2007

One Twin Pines Lane, Belmont, California

SPECIAL MEETINGS

CLOSED SESSION - 6:05 P.M.

- A. Conference with Labor Negotiator, Jack Crist, pursuant to Government Code Section No. 54957.6: AFSCME, MMCEA and BPOA

Attended by Councilmembers Dickenson, Feierbach, Mathewson, Lieberman, City Manager Crist, City Attorney Zafferano, Human Resources Director Sam, Community Development Director de Melo, Police Chief Mattei, and Labor Negotiator Fran Buchanan. Councilmember Warden was absent and City Clerk Cook was excused from attending.

At this time, being 7:30 P.M., this item was recessed to the end of the meeting.

Terri Cook

City Clerk

This meeting not tape recorded or videotaped.

REGULAR MEETING

CALL TO ORDER 7:40 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Dickenson, Lieberman, Feierbach, Mathewson

COUNCILMEMBERS ABSENT: Warden

Staff Present: City Manager Crist, City Attorney Zafferano, Community Development Director de Melo, Police Chief Mattei, Finance Director Fil, Human Resources Director Sam, Public Works Director Davis, City Clerk Cook.

PLEDGE OF ALLEGIANCE

Led by City Clerk Cook.

REPORT FROM CLOSED SESSION

City Attorney Zafferano stated that there were no reportable actions from Closed Session.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Mayor Feierbach outlined the dates when the Mayor Stateof the City would be rebroadcast on Cable Channel 27. She announced that the Carlmont High School Robotics Team won a national prize. She noted that the Farmer's Market was now open on Sundays at the CalTrain station. She commented regarding the commencement exercises she recently attended at Notre Dame de Namur University. She provided an update regarding the recent vehicular accident at Ralston Middle School, and noted that all the injured victims were now out of the hospital. She commended all the public safety officials who assisted with this major incident, and thanked the Parks and Recreation and Public Works staffs for their assistance.

In honor of Municipal Clerks Week, City Clerk Cook read a "City Clerk Litany" which provided a humorous outline of the duties of the City Clerk.

CONSENT CALENDAR

Approval of Minutes of the Special and Regular Meeting of March 27, 2007, and Special and Regular Meeting of April 10, 2007.

Acceptance of Written Communications: 1) Received April 20, 2007, PUC Notification of Application Filing by PG&E for Approval of a 2008-2020 Air Conditioning Direct Load Control Program

Approval of Resolution 9883 Authorizing Reclassification of City Engineer to Assistant Director of Public Works/City Engineer and Proposed New Salary Range

ACTION: On a motion by Councilmember Dickenson, seconded by Councilmember Lieberman, the Consent Agenda was unanimously approved by a show of hands (4-0, Warden absent).

HEARINGS

Public Hearing to Consider a Zone Text Amendment and Negative Declaration to Allow Business, Professional, and Trade School Uses in The M-1 Limited Manufacturing District

Community Development Director de Melo stated that the Planning Commission unanimously recommended this ordinance amendment to add certain uses to the M-1 zoning district. He noted that Council would need only to make the finding that the amendment complies with the General Plan and Zoning Plan. He clarified that the newly-added uses were conditionally-permitted, and the City still retains control over final approval.

In response to Council questions, Community Development Director de Melo noted that the M-1 zoning district is primarily located on the east side of Highway 101, south of Ralston Avenue. He clarified that the zoning use would transfer from any unincorporated into the incorporated area, should incorporation occur. He also clarified that this ordinance amendment was brought forward as a result of an application for a use included in the amendment.

Mayor Feierbach opened the Public Hearing.

Joel Patterson, Embarcadero Capital Partners, Shoreway Road, expressed his support for this amendment, as it would provide options for the new owner of the building.

ACTION: On a motion by Councilmember Mathewson, seconded by Councilmember Dickenson, the Public Hearing was unanimously closed by a show of hands (4-0, Warden absent).

ACTION: On a motion by Councilmember Mathewson, seconded by Councilmember Dickenson, and unanimously approved by a show of hands (4-0, Warden absent) to introduce an ordinance amending Section 6.2.3 of the Belmont Zoning Ordinance 360 adding Business, Professional and Trade Schools to the List of Conditionally Permitted uses in the M-1 Limited Manufacturing District, to waive further reading, and to set the second reading and adoption for May 22, 2007.

Ordinance Adopting Description of Acquisition Program for the Redevelopment Plan for LosCostaños Project Area Pursuant to New Health and Safety Code Section 33342.7

Redevelopment Attorney Rosenthal described a recent court case which raised concerns regarding the use of eminent domain. He noted that the placing of Proposition 90 on last November's State ballot was a result of this action. This ordinance sets forth the conditions under which eminent domain can be used, but he clarified that Belmont's Los Costaños Plan already included provisions for eminent domain. Redevelopment law provides for a 12-year window under which eminent domain can be used, which was termed out in 2003 for Belmont, so there is no ability to use it again in any case. He noted that the City is still required to adopt the ordinance.

Mayor Feierbach opened the Public Hearing. No one came forward to speak.

ACTION: On a motion by Councilmember Mathewson, seconded by Councilmember Dickenson, the Public Hearing was unanimously closed by a show of hands (4-0, Warden absent).

ACTION: On a motion by Councilmember Mathewson, seconded by Councilmember Lieberman, and unanimously approved by a show of hands (4-0, Warden absent) to introduce an ordinance Adopting Description of Acquisition Program for the Redevelopment Plan for Los CostañosProject Area Pursuant to New Health and Safety Code Section 33342.7, to waive further reading, and to set the second reading and adoption for May 22, 2007.

NEW BUSINESS

Consideration of a Resolution Authorizing Continued Participation in the City/County Association of Governments of San Mateo County (C/CAG) and Approval of the Joint Powers Agreement

Richard Napier, Executive Director of C/CAG, noted that the organization addresses transportation, airport land uses, and other programs throughout the County of San Mateo. He stated this Agreement requires re-authorization every four years. He outlined the significant accomplishments over the past four years. He noted that monies going to the agency flow back through the City for various projects.

Councilmember Dickenson noted that Executive Director Napier was instrumental in securing the monies for the construction of the auxiliary lanes on Highway 101.

Councilmember Mathewson stated that the Ralston/101 Interchange project obtained additional funding through C/CAG. He noted that while he does not always agree with the decisions, there is an overall benefit to the City and County of having C/CAG in place.

ACTION: On a motion by Councilmember Mathewson, seconded by Councilmember Dickenson, Resolution 9884 Authorizing Continued Participation in the City/County Association of Governments of San Mateo County (C/CAG) and Approval of the Joint Powers Agreement was unanimously approved by a show of hands (4-0, Warden absent).

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Mayor Feierbach stated that she would change the order of these items, since there were a number of people present regarding the Sports Complex.

Consideration of removing the Belmont Sports Complex from list of potential economic development sites (Feierbach)

Mayor Feierbach stated that during her State of the City address she outlined items from Belmont's Vision Statement, which includes reference to gathering places. During previous public input regarding the Sports Complex, she heard from several speakers that the Sports Complex is a gathering place. The fields at the Complex are in good condition, whereas other fields in the City are not. She proposes to remove the Sports Complex from the list of potential economic development sites.

Councilmember Mathewson agreed, and noted that this site was proposed by the economic development consultant, not by Council.

Kay Bell, Belmont resident, stated that the Sports Complex actively influences and affects everyone in the community. It is a focal point and a place to have fun.

Dan Dutra, Belmont Little League, thanked the Mayor and Council for consideration of removing the Sports Complex from the list. He noted that this issue took on a life of its own. The Complex is a community asset.

Valerie Ansara, Redwood Shores resident, stated that she is a single mother whose children received a scholarship in order to participate in sporting activities. She noted that her social life is derived from her contacts at the Sports Complex. She thanked the Council for consideration to remove it from the list.

Mary Morrissey-Parden, Belmont Chamber of Commerce, expressed her support for removing this site from the list. She stated that although the Chamber has not had a chance to discuss this matter, she noted that there are properties adjacent to the Sports Complex that would be worthwhile to consider for economic development, and the Complex could be an anchor property for the area.

Councilmember Lieberman stated that this issue outlines how important recreation areas are for the community, which is one of the reasons he ran for City Council. He would like to see more resources allocated for recreation, and would like to capitalize on this issue in order to discuss where to invest. He noted there was a great deal of miscommunication regarding the Sports Complex and economic development. The City Council never considered closing it down without a replacement. There is a need to leverage the energy and interest from this issue for other improvements. He supports removing the Sports Complex from the list, although he would have liked to continue probing other areas where the facility could have been relocated. He apologized that so many people got upset about the perception that the Council would be closing down the Sports Complex.

Councilmember Dickenson concurred that there is a need to keep up the momentum for the other economic development sites. A constructive dialog is needed.

Mayor Feierbach stated that the lights on the fields continue to be an issue. She would like to see more trees planted, which could address air pollution concerns in the area. She commented that the property on which the Emmett House now sits could become another gathering place once the Emmett House is moved.

ACTION: On a motion by Councilmember Lieberman seconded by Councilmember Mathewson, and unanimously approved by a show of hands (4-0, Warden absent) to remove the Belmont Sports Complex from the list of proposed economic development sites.

RECESS: 8:25 P.M.

RECONVENE 8:40 P.M.

Discussion regarding the televising of commission meetings (Feierbach)

Mayor Feierbach reviewed the savings now being realized with the elimination of the camera crew, and outlined the estimated costs for televising commission meetings. She noted that it would be prudent to consider televising Planning Commission meetings to begin with, with consideration for televising other commissions later.

Councilmember Lieberman expressed his support for televising Planning Commission meetings, since it is a quasi-judicial body which makes legislative decisions. He does not have a strong opinion about televising other commission meetings. He noted that Finance Commissioners ask probing questions of the budget and the process, and the addition of television could be intimidating for that process. Having those meetings televised may not be useful for the public.

Councilmember Dickenson expressed support for televising Planning Commission meetings in order to provide public access. He noted that if projects are discussed at the Parks and Recreation and/or the Finance Commission, televising those meetings would help with communication.

Councilmember Mathewson expressed support for televising Planning Commission meetings, and noted that although he was unsure about the other commissions, it may be a good tool to attract people's interest in serving on commissions.

Community Development Director de Melo stated that time is needed to get plans in electronic format, and he recommended targeting the first Commission meeting in June as the start date.

Council concurred to commence televising Planning Commission meetings beginning in June.

Discussion regarding proactive code enforcement (Dickenson)

Councilmember Dickenson stated that a very efficient proactive code enforcement process took place in the Sterling Downs area several years ago. With pending projects on Old County Road, including the undergrounding of utilities, and new street fixtures, now would be a good time to do this again. He recommended a soft approach to bring businesses into compliance.

Councilmember Mathewson noted that the new Bay Meadows development may bring more customers to the area.

Community Development Director de Melo concurred that this would be a good plan, and he suggested including El Camino Real as well.

Council concurred to give direction to staff to enact a proactive code enforcement plan for the Old County Road and El Camino Real corridors.

RECESS at this time, being 8:53 P.M., to consider the Redevelopment Agency and Belmont Fire Protection District agendas, then convened to Continued Closed Session.

CONTINUED CLOSED SESSION

- A. Conference with Labor Negotiator, Jack Crist, pursuant to Government Code Section No. 54957.6: AFSCME, MMCEA and BPOA

Attended by Councilmembers Dickenson, Feierbach,, Mathewson, Lieberman, City Manager Crist, City Attorney Zafferano, Human Resources Director Sam, Community Development Director de Melo, Police Chief Mattei. Councilmember Warden was absent and City Clerk Cook was excused from attending.

ADJOURNMENT at this time, being 9:45 P.M.

Terri Cook

City Clerk

This meeting not tape recorded or videotaped.

Council Meeting Tape Recorded and Videotaped
Audio Recording 665